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SUBJECT: HIGH PROFILE ISLAMIC TERRORIST TRIAL OPENS IN DUESSELDORF

REF: A) DUSSELDORF 30; B) DUSSELDORF 34

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¶1. (U) Summary: A high profile Islamic terrorist trial opened before the Duesseldorf Higher Regional Court on December 18. With the help of an accomplice, Lebanese national Youssef Mohamad El-Hajdib, known as the "suitcase bomber," has been charged with attempted murder in an undetermined number of cases as well as attempting to cause an explosion by placing suitcases containing bombs (which failed to detonate) on two commuter trains in Cologne in July 2006. According to the Federal Prosecutor, El-Hajdib and his accomplice acted in retaliation for the publication of Mohammed caricatures in the Danish and German press earlier that year. A verdict in this case is expected in the summer of 2008. The maximum sentence possible for these crimes is life imprisonment. End summary.

¶2. (U) Exactly sixteen months after his arrest in Schleswig-Holstein in August 2006, the trial against Youssef Mohamad El-Hajdib (DOB: 9/19/1984), a former engineering student at the University of Kiel, opened before the Duesseldorf Higher Regional Court. The trial is held at a specially designed high security court house and presided over by Judge Otmar Breidling, widely recognized as one of Germany's most experienced judges in terrorism-related cases (reftels). The charges were presented by Horst Salzmann, Chief Public Prosecutor at the Federal Court of Justice, on the first day of the trial on December 18.

Retaliation for the Mohammed caricatures  
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¶3. (SBU) According to Salzmann, El-Hajdib conspired in April 2006 with his Lebanese countryman Jihad Hammad (21), a Cologne resident at the time, to execute a terrorist bomb attack on the train system in Germany in retaliation for the publication of Mohammed caricatures in the Danish and German press earlier that year. The original plan, according to a senior level law enforcement official, was to commit the crime during the 2006 Soccer World Cup in Germany when hundreds of thousands of soccer fans were using public transportation systems to travel to the games. According to media reports, however, heightened security measures during the World Cup caused the defendants to postpone their plans.

Bombs fail to detonate  
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¶4. (U) As shown by evidence obtained through video monitoring cameras, on July 31, 2006 around 1 PM, Hajdib and Hammad placed

suitcases containing IED's and incendiary material on north and south-bound commuter trains at the Cologne central railway station. The prosecution argues that the bombs were to detonate simultaneously at 2:30 PM, but did not go off due to faulty construction, although the automatic fuse setting device was activated. According to experts, a detonation would have caused a considerable shock wave and a fire ball that could have killed dozens of people. (Note: Hammad fled to Lebanon following the bombing attempt and was arrested there. A Beirut court charged both Hammad and Hajdib, in absentia, for their actions -- see para 6.)

Verdict expected in summer 2008  
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15. (U) Thus far, 28 days of court hearings have been scheduled until the end of April. The court spokesman indicated to us, however, that even more time will be needed to reach a verdict and therefore the court will come out with a new schedule for further hearings at the end of March. He showed himself confident that the court would issue a verdict during the summer of 2008. The maximum punishment for the crimes the defendant is charged with is life imprisonment.

Beirut Court Sentences Hammad and Hajdib  
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16. (U) Independent from the Duesseldorf proceedings, media report that on December 18 a Beirut court sentenced Hajdib in absentia to death for his involvement in the bombing plot. This judgment was subsequently reduced to life in prison. Assuming Hajdib is convicted by the Duesseldorf court and sentenced to prison, he could well face additional prison time in Lebanon upon completing his sentence in Germany. The Beirut court sentenced Hammad to twelve years in prison.

Comment  
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17. (SBU) This case marks the first time in an Islamist terrorist

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trial in Germany where the charges are attempted murder. This has raised the profile of the case and some argue has made the threat of terrorism in Germany real. The court's press spokesman told us that he expects a verdict in late summer 2008.

Based on the court's history and the thoroughness that Breidling exercises in his courtroom (reftel), we would not be surprised to see a decision come out later than expected -- perhaps fall of 2008.

18. (U) This message was coordinated with Embassy Berlin.  
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